



PUBLIC NOTICE

Federal Communications Commission
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**WIRELINE COMPETITION BUREAU SEEKS COMMENT
ON PETITION FOR WAIVER OF SECTION 51.913(a) REGARDING REDUCTIONS IN
INTERCARRIER COMPENSATION RATES FOR ORIGINATING INTRASTATE TOLL
VOICE OVER INTERNET PROTOCOL TRAFFIC**

**WC Docket Nos. 03-109, 05-337, 07-135, 10-90; CC Docket Nos. 01-92, 96-45; GN Docket No. 09-51;
WT Docket No. 10-208**

Comment Date: August 4, 2014

Reply Comment Date: August 14, 2014

The Wireline Competition Bureau seeks comment on a petition for waiver filed by NTCA-The Rural Broadband Association, the National Exchange Carrier Association, ITTA, the Eastern Rural Telecom Association, WTA-Advocates for Rural Broadband, Frontier Communications Corporation, and Windstream Communications, Inc. (collectively, "Petitioners") on July 7, 2014.¹ Petitioners request that the Commission waive application of section 51.913(a) of the Commission's rules and "thereby pause, effective June 30, 2014, any reductions in intercarrier compensation ('ICC') rates for originating intrastate toll Voice over Internet Protocol ('VoIP') traffic until full implementation of the Connect America Fund ('CAF') Phase II mechanism, in the case of price cap carriers, or a tailored CAF mechanism for rural, rate-of-return regulated carriers ('RLECs'), respectively."² Petitioners further state that although "such rate reductions were effective on July 1, 2014...the applicable rates should be restored to their levels as of June 30, 2014 as soon as possible and remain at such levels until after the implementation of CAF Phase II and an RLEC CAF, respectively."³

¹ Emergency Petition for Waiver of NTCA-The Rural Broadband Association, the National Exchange Carrier Association, ITTA, the Eastern Rural Telecom Association, WTA-Advocates for Rural Broadband, Frontier Communications Corporation, and Windstream Communications, Inc., WC Docket Nos. 03-109, 05-337, 07-135, 10-90; CC Docket Nos. 01-92, 96-45; GN Docket No. 09-51; WT Docket No. 10-208 (filed July 7, 2014) (Petition), <http://apps.fcc.gov/ecfs/document/view?id=7521371401>.

² Petition at 2 (citations omitted). See 47 C.F.R. § 51.913(a).

³ Petition at 2. See *Connect America Fund et al.*, WC Docket No. 10-90 et al., Report and Order and Further Notice of Proposed Rulemaking, 26 FCC Rcd 17663 (2011) (*USF/ICC Transformation Order*), *pets. for review denied sub nom.*, FCC 11-161, --- F.3d ---, 2014 WL 2142106 (10th Cir. May 23, 2014).

Pursuant to section 1.419 of the Commission's rules, 47 C.F.R. § 1.419, interested parties may file comments and reply comments on or before the dates indicated above. Comments may be filed by paper copies or by using the Commission's Electronic Comment Filing System (ECFS).⁴

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <http://fjallfoss.fcc.gov/ecfs2/>.
- Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing. Because more than one docket number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket number. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.
 - All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th St., SW, Room TW-A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.
 - Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD, 20743.
 - U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, SW, Washington, DC, 20554.

People with Disabilities: To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

The proceeding this Notice initiates shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.⁵ Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b). In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing

⁴ See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

⁵ 47 C.F.R. §§ 1.1200 *et seq.*

oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (e.g., .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

For further information, please contact Robin Cohn, Pricing Policy Division, Wireline Competition Bureau, at (202) 418-2747 or Robin.Cohn@fcc.gov.

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